may be further improved by giving them a greater supply of medicines.

Revision of the pay of the Panchayat Vaidyans.

Mr. P. Kumaran Ezhuthassan.—Sir, I do not move resolution No. 32 also.

Hence the following resolution was considered withdrawn.

Mr. P. Kumaran Ezhuthassan.—*This Council recommends to the Government that the pay of the Panchayat Vaidyans may be revised.*

Instalment payment for bonafide judgment-debtors.

Mr. P. Kumaran Ezhuthassan—Sir, I move "*that this Council recommends to the Government that till the present depression is over bonafide judgment-debtors may be allowed to pay their debts in monthly or quarterly instalments, the total period for the payment of the whole debt not to exceed five years*".

This resolution affects both the decree-holder and the judgment-debtor and it sufficiently safe-guards the interests of the decree-holder. This measure is only intended to give some time to the judgment-debtor to pay off the decretal amount without endangering the interests of the decree-holder. When motions of this sort were brought in this House, it used to be stated by the Government that the interests of the decree-holders who will be adversely affected if such remedies were given to the judgment-debtors have to be taken into consideration. Here, this resolution takes into consideration the position of the decree-holder also and therefore I do not think the Government will oppose this measure. Probably it will be stated that the Chief Court has sent a circular to give some relief to the judgment-debtors. But that circular affects only the sale of immoveable properties. But this affects also the arrest of the judgment-debtors. The position now is this. Suppose a judgment-debtor is arrested for a decree-debt of Rs. 200, and he is then in position to pay only a sum of Rs. 50 and he prays to the court that he may be let off. Certain Judges who have a particular turn of mind do not find their way to let off the judgment-debtor although the Civil Procedure Code makes provision for such a procedure also. The section says that if a judgment-debtor is brought to court and if he shows to the satisfaction of the court his inability to pay off the whole debt then and there and he prays that he may be let off, he can be let off if the court thinks fit to do so. Certain kind-hearted judges make use of that section to give relief to the judgment-debtors. They give time to the judgment-debtor to pay off the whole amount. But certain other judges who cannot understand the difficulties of the poor man, they do not let him off and they say, 'I have no power'. They say it will be going against the term of the decree. So such prayers from judgment-debtors

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are allowed by one class of judges and disallowed by another class of judges. It is to remove the difficulty of the judges that I have tabled this resolution. I commend it strongly for the consideration of the House. Since the non-official benches are empty, I request the Government to find their way to see eye to eye with the poor judgment-debtors, and to grant them some relief. They may be allowed to pay off their debts in instalments.

Mr. T. K. Nayar.—I beg to second it.

Mr. Thomas Manjuran.—I may bring to the notice of the Hon'ble Member that with regard to the two methods which may be adopted by creditors to realise the decretal amount, the one by the sale of immoveable properties has been sufficiently checked and with regard to the other there is section 331 in the Civil Procedure Code. It says that if the judgment-debtor is arrested and brought to the court and if he proves to the satisfaction of the court his inability to pay the amount then and there the court has powers to let him off. It is irrelevant whether he has got property or not. Whether he could raise liquid money is the question. During this time of depression there could be free use of that provision of law. As the Hon'ble Member for Nemmara states there is considerable financial stringency now. If the Government were to interfere in this matter it will be increasing their difficulty. Government, as we know, does not want to jeopardise the creditors. It is only if he has property that the party has to prove to the satisfaction of the court that he is not in a position to raise liquid money. I believe the courts are using that provision wherever possible. And if a portion of the decretal amount is paid into the court and when that fact is brought into the notice of the court it will be a further inducement for the court to let him off. If he does not do so there is the judicial heirarchy whose sense might be taken by the party. I may say that this matter may be considered by the Committee that is constituted by the Government. The general questions of the arrest of judgment-debtors, I say is a large question and nothing can be done on that point without detailed investigation. The financial equilibrium cannot be interefered with without creating unnecessary panic and probably it is very risky also at the existing financial conditions.

Mr. P. Kumaran Ezhuthassan.—On a point of information. Cannot the Government be pleased to issue a circular as in the case of the sale of properties that the powers under section 331 may be usedvery liberally with regard to judgment-debtors who pay a portion of the decretal amount?

Mr. Thomas Manjuran.—That would amount to an interference with the judiciary. This point may be brought to the notice of the Chief Court and the Chief Court might take

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proper action. I may also say that the Government might try to induce the Chief Court also in this direction. All that I can say that the Government have every intention to help everybody and that at all times and as such all possible will be done in the matter. I can only say that this matter will be further considered and every reasonable possible thing will be done.

Mr. P. Kumaran Ezhuthassan.—Sir, I know that the Government will have no difficulty in the matter. Although Government does not give a promise, since they say that further steps will be taken to grant this prayer. I beg leave of the House to withdraw the resolution.

Resolution was, with leave, withdrawn.

Administration Reports of all States and Provinces of India.

Mr. P. Kumaran Ezhuthassan.—Sir, on a point of information in connection with resolution No. 34. We often find much difficulty in the matter of reference books. The want of Administration Reports of certain States and Provinces is much felt. I like to know if the Government proposes to get down such Administration Reports.

Mr. C. J. Mathew.—I may inform the House that the Government propose to get down for the Council Library the Administration Report of almost all the important Provinces and the Native States of India.

Mr. P. Kumaran Ezhuthassan.—Sir, on that assurance given by the Government I do not move resolution No. 34.

Hence the following resolution was considered withdrawn.

This Council recommends to the Government that Administration Reports of all States and Provinces of India be subscribed for by the Cochin Legislative Council Office.

Reservation of a small percentage of District Registrars' posts to experienced clerks of the Department with approved service.

Mr. P. Kumaran Ezhuthassan.—Sir, I move that "*this Council recommends to the Government to reserve a small percentage of District Registrars posts to experienced clerks of the department with approved service*".

For this resolution also I have to turn my eyes to the kind-hearted Members on the Treasury Benches, and to request them to consider this resolution favourably, sympathetically with a view to help a few persons who have been in the department for a number of years and who have no manner of blemish against their names in filling up the vacancies of the Registrars' posts. If the practice elsewhere is wanted I am in a position to give it. I have been able to gather information regarding Madras, Mysore and Travancore. In all these places this practice prevails

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